

# EXHIBIT 12

FILED: KINGS COUNTY CLERK 12/14/2019 07:09 PM

NYSCEF DOC. NO. 29

INDEX NO. 521021/2019

RECEIVED NYSCEF: 12/14/2019

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X

PINCHAS HALPERIN LLC,

: Index No. 521021/2019

Petitioner,

: ORDER WITH  
: NOTICE OF ENTRY

- against -

:

U C MANAGEMENT LLC, YITZCHAK  
KAMINETZKY and KAMIN HEALTH  
WILLIAMSBURG LLC,

:

:

Respondents.

:

-----X

PLEASE TAKE NOTICE that an Order issued by the Court [Hon. Wavny Toussaint] on  
December 6, 2019, of which the annexed is a true copy, was entered in the office of the Clerk of  
the within named Court on December 10, 2019.

Dated: December 14, 2019

LEVINE & ASSOCIATES, P.C.

By: 

Michael Levine

15 Barclay Road  
Scarsdale, NY 10583  
Telephone (914) 600-4288  
Facsimile (914) 725-4778  
e-mail: ml@LevLaw.org

*Attorneys for Plaintiff*

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NYSCEF DOC. NO. 28

RECEIVED NYSCEF: 12/10/2

At an IAS Part 70 of the Supreme Court of the  
State of New York, held in and for the County of  
Kings, at the Courthouse located at 360 Adams  
Street, Brooklyn, New York on the 6<sup>th</sup> day  
of December, 2019

P R E S E N T:

HON. WAVNY TOUSSAINT, J.S.C.

-----X  
PINCHAS HALPERIN LLC,

: Index No. 521021/2019

Petitioner,

: ORDER

- against -

:

U C MANAGEMENT LLC, YITZCHAK  
KAMINETZKY and KAMIN HEALTH  
WILLIAMSBURG LLC,

:

:

Respondents.

:

-----X  
Petitioner having moved this Court for an Order, pursuant to Article 75 of the CPLR, (i) directing that, until the existing arbitration among the parties is concluded and the arbitration panel (the "Beis Din") issues a final Award, all funds received by any agent of Kamin Health Williamsburg LLC ("Kamin Health") must be deposited only into the TD Bank operating account of Kamin Health ending in 4683, and not comingled with funds belonging to any other entity, (ii) enjoining the use of any funds of Kamin Health other than for the business purposes of Kamin Health; (iii) restraining and enjoining Respondents U C Management LLC and Yitzchak Kaminetzky, and all persons operating through either of them, or at their request or instruction, from diverting funds, or using funds for any purpose other than the business purposes of Kamin

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Health Williamsburg LLC, and (iv) directing that all checks of Kamin Health shall be issued and signed only by Blini Gold, the bookkeeper for Kamin Health, and enjoining any other individual from issuing any such checks; and good cause having been established, and the Court having issued an Order on September 27, 2019 directing Respondents to Show Cause on October 2, 2019 as to why such relief should not be granted by the Court, and the parties having appeared on October 2, 2019 before the Court, and Petitioner having appeared through its counsel, Levine & Associates, P.C., and the Respondent having appeared through their attorneys, Pollock Cohen LLP, and Respondents having requested additional time to file opposition to the Petitioner's said motion, and the Court having granted Respondent's request and adjourned the motion to November 6, 2019, and the Respondents having failed to submit any opposition papers and having further failed to appear before the Court on November 6, 2019, and the Court having considered the Verified Petition dated September 24, 2019 and the Affirmation of Urgency of Michael Levine, Esq., duly affirmed the 25<sup>th</sup> day of September, 2019, and the exhibits thereto annexed, all filed in support of the said motion, and the Court having duly deliberated on the issues, it is

**ORDERED**, that the Petitioner's motion is **GRANTED** on default, and it is further

**ORDERED**, that the Respondents U C Management LLC and Yitzchak Kaminetzky, and all persons operating through either of them or at their request or instruction who are given notice of this Order, are hereby enjoined and restrained, until a final Award is issued by the existing arbitration panel, from (i) using any funds of Kamin Health Williamsburg LLC other than for the business purposes of Kamin Health Williamsburg LLC, and (ii) diverting funds or using funds for any purpose other than the business purposes of Kamin Health Williamsburg LLC, and it is further

**ORDERED**, that (i) all funds received by any agent of Kamin Health Williamsburg LLC must be deposited only into the TD Bank operating account of Kamin Health Williamsburg LLC

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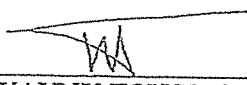
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ending in 4683, and (ii) any checks of Kamin Health Williamsburg LLC shall be issued and signed only by Blini Gold, the bookkeeper for Kamin Health, and Respondents, and all other persons knowingly acting or operating through any of them and receiving notice of this Order, are hereby enjoined from issuing any such checks, and it is further

ORDERED, that Petitioner shall post an undertaking, pursuant to § 6312(b), in the amount of \$500.00 within ten (10) days of the date of the entry of this Order.

ENTER:

  
HON. WAVNY TOUSSAINT, J.S.C.

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AFFIRMATION OF SERVICE

Michael Levine, an attorney duly admitted to practice law in the state of New York, affirms the truth of the following under the penalty of perjury:

1. I am not a party to this action, am over the age of 18, and reside in New York.

2. On December 14, 2019, I served the foregoing Order with Notice of Entry on the following by the method described below:

First Class Mail:

Adam Pollock, Esq.  
Pollock Cohen LLP  
60 Broad St., 24th Flr.  
New York, NY 10004

e-mail: Adam@pollockcohen.com

Priority Mail:


U C Management LLC  
Yitzchak Kamintzky  
Kamin Health Williamsburg LLC  
72-53 141st Street  
Flushing, New York 11367-2336

  
MICHAEL LEVINE

Duly affirmed this 14<sup>th</sup>  
day of December, 2015

Yiizchak Kaminetzky USPS Priority Mail® 9405509898643...  Delivered \$6.95

ress neizky  1367-2336, US	Sender address Michael Levine Levine & Associates 15 Barclay Rd Scarsdale, NY 10583-2707, US	Purchased on 12/14/2019 12:19 PM User Michael Levine
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\$6.95  
\$6.95

Tracking number 9405509898643549284471

ne	Activity	Location
r 16, 2019 11:42 AM	Delivered, In/At Mailbox	FLUSHING, NY 11367
r 16, 2019 7:53 AM	Out for Delivery	FLUSHING, NY 11367
r 16, 2019 7:42 AM	Arrived at Post Office	FLUSHING, NY 11367
r 15, 2019 2:46 AM	Arrived at USPS Regional Facility	METRO NY DISTRIBUTION CENTER
r 14, 2019 4:46 PM	Departed Post Office	SCARSDALE, NY 10583

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